

CANNATA O' TOOLE & OLSON LLP  
ATTORNEYS AT LAW  
100 PINE STREET, SUITE 350, SAN FRANCISCO CA, 94111  
TEL: 415.409.8900 – FAX: 415.409.8904

1 D. VICTORIA BARANETSKY (SBN 311892)  
THE CENTER FOR INVESTIGATIVE REPORTING  
1400 65th Street, Suite 200  
2 Emeryville, CA 94608  
Telephone: (510) 982-2890  
3 Facsimile: (510) 849-6141  
Email: vbaranetsky@revealnews.org  
4

5 THERESE Y. CANNATA (SBN 88032)  
AARON R. FIELD (SBN 310648)  
ZACHARY E. COLBETH (SBN 297419)  
6 CANNATA O'TOOLE & OLSON LLP  
100 Pine Street, Suite 350  
7 San Francisco, CA 94111  
Telephone: (415) 409-8900  
8 Facsimile: (415) 409-8904  
Email: tcannata@cofolaw.com  
9 afield@cofolaw.com  
zcolbeth@cofolaw.com  
10

11 Attorneys for Plaintiffs  
THE CENTER FOR INVESTIGATIVE  
REPORTING and WILL EVANS  
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13 UNITED STATES DISTRICT COURT  
14 NORTHERN DISTRICT OF CALIFORNIA  
15 SAN FRANCISCO DIVISION  
16

17 THE CENTER FOR INVESTIGATIVE  
REPORTING and WILL EVANS,  
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19 Plaintiffs,

20 v.

21 UNITED STATES DEPARTMENT OF  
LABOR,  
22

23 Defendant.  
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CASE NO. 3:22-cv-07182-WHA

**[PROPOSED] ORDER RE: CROSS-  
MOTION FOR SUMMARY JUDGMENT**

Date: December 14, 2023  
Time: 8:00 a.m.  
Judge: Hon. William Alsup  
Place: Ctrm. 12, 19th Floor

**[PROPOSED] ORDER**

On December 14, 2023 at 8:00 a.m., at the United States District Court for the Northern District of California, located at 450 Golden Gate Ave., San Francisco, CA 94102, in Courtroom 12 (19th floor), plaintiffs The Center for Investigative Reporting's and Will Evans's (collectively, "Plaintiffs" or "CIR") cross-motion for summary judgment against defendant United States Department of Labor ("DOL" or "Defendant"), and DOL's motion for summary judgment against CIR, came on for hearing before the Court.

Good cause having been found therefore, **IT IS HEREBY ORDERED THAT:**

1. Plaintiffs' cross-motion for summary judgment is GRANTED, and Defendant DOL's motion for summary judgment is DENIED. Defendant DOL shall disclose all responsive records and information related to the Bellweather Objectors by \_\_\_\_\_, 2023. Defendant DOL shall disclose all other responsive records and information, which is not exempt from disclosure under Exemption 4 for the same reasons. Further, Defendant DOL shall make a final, lawful, and complete determination on and disclose all records and information that it initially deemed nonresponsive by applying the standard set forth in ECF No. 34-8 at 15 by \_\_\_\_\_, 2023.
2. Plaintiffs' request for declaratory relief is GRANTED. This Court finds and declares that Defendant DOL violated the Freedom of Information Act, 5 U.S.C. § 552 ("FOIA"), by delaying a determination on Plaintiffs' FOIA requests in this case until after the statutory deadline and by unlawfully delaying the disclosure of responsive records. Defendant DOL's asserted justifications for delay cannot, and do not, override the Freedom of Information Act's unambiguous plain language regarding the timing of disclosure.

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**IT IS SO ORDERED.**

DATED: \_\_\_\_\_

\_\_\_\_\_  
Hon. William Alsup

UNITED STATES DISTRICT JUDGE